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Water Policy Interim Committee

61st Montana Legislature

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Washington, D.C. 20510

Sen. Jon Tester
724 Hart Senate Office Building
Washington, DC 20510-2604

Rep. Denny Rehberg
2448 Rayburn HOB
Washington, DC, 20515

March 11, 2010

Sens. Baucus and Tester and Rep. Rehberg,

The Water Policy Interim Committee of the Montana Legislature respectfully requests that the Army Corps of Engineers and the Federal Emergency Management Agency (FEMA) delay the implementation of the Flood Map Modernization Program until a number of issues are resolved. It appears there may be a lack of coordination between the two agencies on this complicated issue.

The Water Policy Interim Committee (WPIC) is a bipartisan committee that studies water issues in Montana. At the March 2010 meeting of the WPIC, members of the Board of Commissioners for the Great Falls Flood Control and Drainage District voiced much concern about the Map Modernization Program and the process for accrediting levees.

If the program moves forward on its current path and levees in Montana are not accredited, there will be a devastating effect on the families that live in flood districts throughout Montana. A lack of accreditation will bring lower property values, raise flood insurance costs, and will make new construction or improvements to existing structures virtually impossible.

Because of its rural nature, Montana has neither the population nor the resources to implement this expensive unfunded federal mandate. There are many questions about the Map Modernization Program that still need to be answered before implementation takes place.

* Who will pay for the certification? Non-Federal Local Sponsors in sparsely populated areas cannot afford certification under the present set of rules.

* Are there any engineering firms willing or qualified to do the work in Montana? What will be the cost?

* As a cost saving move for levee districts, can FEMA and the Corps work together to merge the safety and certification programs?

* What is the role of each agency in determining safety and accreditation of levees and why would the Corps not perform the certification duties?

* What are the liability implications for local governments and Non-Federal Local Sponsors in the Map Modernization process?

Until these questions are answered, we ask that the process be suspended. We also ask that as our representatives in Congress you work with the Army Corps of Engineers and FEMA to make necessary improvements to this program, so it will be possible for Montana levee districts to comply with program rules.

Sincerely,

Representative Walter L. McNutt

Senator Terry Murphy

Senator David E. Wanzonried

Representative Russell S. Bean

Senator Debby Barrett

Representative Bill Mcchesney

Senator Bradley Maxon Hamlett

Representative JP Pomnichowski